



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Schell Field Office
HC33 Box 33500 (702 N. Industrial Way)
Ely, Nevada 89301-9408

http://www.blm.gov/nv/st/en/fo/ely_field_office.html

In Reply Refer To:
3809 (LNV0200)

DECISION

Hogum Placer Mining Projects	:	
White Pine County	:	Decision Record
Hogum, Nevada	:	DOI-BLM-NV-L020-2011-0004 EA
	:	

I have reviewed the application, the Environmental Assessment (EA), and have made a Finding of No Significant Impact (FONSI) for the Fred Salisbury, Dig M Exploration, TJL Mining, and Kapacke Mining proposals for the Hogum Placer Mining Projects. Based on that review and the record as a whole, I approve the Alternative A (Proposed Action) with the following stipulations derived from mitigation measures in the EA and FONSI. In accordance with 43 CFR 3809 and 2715, respectively, this Decision is in full force and effective immediately.
Stipulations:

RATIONALE:

- 1) The Proposed Action is in conformance with the Ely District Record of Decision and Approved Resource Management Plan signed in August of 2008. Section 1.3 of the Environmental Assessment documents the conformance review.
- 2) The Proposed Action is consistent with all other federal, state, local, and tribal policies and plans to the maximum extent possible.

PUBLIC INVOLVEMENT:

An interdisciplinary (ID) team analyzed the potential consequences of the proposal during internal scoping held on November 1, 2010. As a result of internal scoping and discussions, air quality, soils, vegetation, rangeland health, wildlife, cultural resources, and mineral resources were the issues analyzed in the EA. Native American tribes, including the Duckwater, Ely Shoshone, and Confederated Tribes of the Goshute were solicited for comment. Also included in this process were the Nevada Clearinghouse and Nevada State Historic Preservation Office.

The preliminary EA was posted on the BLM website on June 9, 2011 for a minimum of 30 days, where the public could review the document and submit comments to the BLM.

APPEALS:

This decision may be appealed to the Interior Board of Land Appeals (Board), U. S. Department of the Interior (DOI) Office of Hearings and Appeals, in accordance with the regulations contained in 43 CFR, Part 4. The appellant has the burden of showing that the decision appealed from is in error. If an appeal is taken, a notice of appeal must be filed at the Bureau of Land Management at the above address within 30 days of either of receipt of the decision if served a copy of the document, or otherwise within 30 days of the date of the decision. If sent by United States Postal Service, the notice of appeal must be sent to the following address:

Bureau of Land Management
Ely District Office
HC 33 Box 33500
Ely, NV 89301.

The appeal may include a statement of reasons at the time the notice of appeal is filed, or the statement of reasons may be filed within 30 days of filing this appeal. At the same time the original documents are filed with this office, copies of the notice of appeal, statement of reasons, and all supporting documentation also must be sent to each party named in this decision and to the U. S. DOI Solicitor at the following address:

Regional Solicitor, Pacific Southwest Region
U.S. Department of the Interior
2800 Cottage Way, Room E-2753
Sacramento, CA 95825-1890

If a statement of reasons is filed separately from the notice of appeal, it also must be sent to the following location within 30 days after the notice of appeal was filed:

Interior Board of Land Appeals
Office of Hearings and Appeals
4015 Wilson Boulevard
Arlington, VA 22203

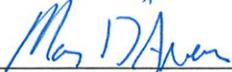
This Decision will remain in effect during the appeal unless a petition for stay is granted. If the appellant wishes to file a petition pursuant to regulations at 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that the appeal is being reviewed by the Board, the petition for a stay must accompany the notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. If the appellant requests a stay, the appellant has the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or by other pertinent regulation, a Petition for a Stay of a Decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Approved by:



Mary D'Aversa
Field Manager
Schell Field Office



Date